

EXHIBIT

A-2

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ACTIVISION TV, INC.,

Plaintiff,

and

MPHJ TECHNOLOGY INVESTMENTS,
LLC, inclusive of its subsidiaries,

Intervenor-Plaintiff,

v.

PINNACLE BANCORP, INC.

Defendant,

and

JON BRUNING, Attorney General of
Nebraska (in his official capacity); DAVID
D. COOKSON, Chief Deputy Attorney
General of Nebraska (in his official
capacity); DAVID A. LOPEZ, Assistant
Attorney General of Nebraska (in his official
capacity),

Defendants and
Intervenor-Defendants.

Civil Action No. 8:13-cv-00215

**DECLARATION OF DONALD DEBLASIO IN SUPPORT OF
PLAINTIF-INTERVENOR MPHJ TECHNOLOGY INVESTMENTS, LLC'S
MOTION FOR PRELIMINARY INJUNCTION WITH RESPECT TO
PATENT INQUIRY, LICENSING AND NOTICE CORRESPONDENCE**

I, Donald DeBlasio, hereby declare:

1. I am a resident of the State of California, and am over the age of 18 and competent to make this declaration. I have personal knowledge of the facts set forth in this Declaration, and if called upon to do so, could and would testify competently thereto.

2. I am the president of FullTech Systems, Inc. ("FullTech"). As part of our business, FullTech consults and works with clients to provide them with information about companies that satisfy commercial criteria identified by our clients. FullTech also provides mailing services for these clients as requested.

3. I have been retained as a consultant by MPHJ Technology Investments, LLC ("MPHJ") and its subsidiaries to assist them in identifying companies that satisfy certain criteria provided by MPHJ and its subsidiaries and to consult with MPHJ and its subsidiaries to help define appropriate criteria to satisfy their requirements.

4. It was my opinion that MPHJ and its subsidiaries could use employee size and Standard Industrial Classification ("SIC") codes to meet their requirements of identifying companies having a certain size and engaging in certain types of business activity.

5. I have extensive experience identifying companies by SIC code, which is a standard tool of classification in the industry. A SIC code is a four-digit code developed by the Federal government to describe the type of activity performed by a business. There are a total of 996 SIC codes. The lists of companies provided to MPHJ and/or its subsidiaries were limited to only 54 of these SIC codes. The lists were based on each company's Primary SIC code. A company's Primary SIC code indicates the line of business that provides the largest revenue contribution to that business. For example, a company whose business is primarily lawn and garden services would be assigned the SIC code 0782. Dunn & Bradstreet uses these 4-digit SIC codes in compiling business information. Dunn & Bradstreet also uses an additional 4-digit extension to the Primary 4-digit SIC code to provide greater distinction between lines of business where applicable.

6. SIC codes are self-reported, which means that they are obtained from information a company provides on census or survey reports or when registering or obtaining a license through state agencies. Many state systems employ SIC codes during the initial registration or licensing process. State agencies regularly identify companies in the state by their four-digit SIC codes and use these codes to issue reports about local industries. Additionally, the United States Securities and Exchange Commission (“SEC”) relies heavily on SIC codes. As an example, the SEC uses SIC codes that appear in a company’s disseminated Electronic Data Gathering, Analysis, and Retrieval (EDGAR) system filings in the Division of Corporation Finance as a basis for assigning review responsibility for the company’s filings. *See* <http://www.sec.gov/info/edgar/siccodes.htm>.

7. Within the group of companies who could be identified by a particular SIC code or having a particular type of business activity, I also assisted MPHJ in identifying such companies by employee size. Employee size is provided by information from Dunn & Bradstreet, and is generally considered to be the best commercially available information. This is true even though it can be based on business license filings and self-reported surveys, and companies can change employee size over time.

8. The lists of companies satisfying the criteria developed by MPHJ and/or its subsidiaries with my assistance were based on SIC codes and employee sizes. They were compiled from reliable sources, comprising Dunn & Bradstreet and business license filings. This is the best commercial information available, and companies regularly rely upon this commercial information.

9. In consultation with MPHJ, its subsidiaries, and its counsel, I prepared lists of companies for MPHJ and/or its subsidiaries that satisfied their criteria. These companies met the

employee size and SIC code criteria that satisfied the requirements of MPHJ and/or its subsidiaries. MPHJ and/or its subsidiaries would further refine the list of companies and then send the list back to me with instructions sufficient for my company to assist them or their counsel in mailing correspondence to identified intended recipients.

10. I can confirm that FullTech mailed all letters as instructed by MPHJ, its subsidiaries, and its counsel. Furthermore, MPHJ and/or its subsidiaries requested that we send verification letters to MPHJ entities and/or their counsel. It is my understanding that those letters when sent were always received.

11. Voices of Omaha Inc., Nebraska Hematology Oncology PC, DEI Communities, and Phelps County Emergency Management were among the companies on the lists provided to MPHJ and/or its subsidiaries. I have been asked about these four companies and can confirm the following information was provided to MPHJ and its subsidiaries regarding these companies: Voices of Omaha Inc.'s SIC code is 8748 (Business Consulting, Not Elsewhere Classified). Nebraska Hematology Oncology PC's SIC code is 8071 (Medical Laboratories). DEI Communities' SIC code is 6513 (Apartment Building Operators). Phelps County Emergency Management's SIC code is 8742 (Management Consulting Services). Voices of Omaha Inc., Nebraska Hematology Oncology PC, and Phelps County Emergency Management each have between 20 and 49 employees. DEI Communities has between 50 and 99 employees.

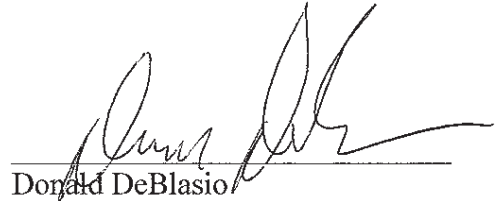
12. Discrepancies in commercially available business information generally relate to information that is self-reported. For example, with respect to SIC codes, a business may identify itself as a particular SIC code when it first applies for a business license and/or registers with a state agency; however, over time, that business may evolve and focus primarily on a different industry than it initially identified. Historically, businesses had greater incentive to

update their SIC codes regularly because SIC codes influenced yellow page and phonebook classifications.

13. Similarly, the lists supplied to MPHJ and/or its subsidiaries included a contact person for each business entity where available. The contact person identified for each business entity was the highest level person in the organization. Because this information is also self-reported, it is possible to lead to inaccuracies. Also, a contact person may leave a particular business entity, but that business entity does not update that information in its filings. This contact information is regularly relied upon by commercial entities and is the best commercially available contact information.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed: November 19, 2013


Donald DeBlasio